

RECOMMENDING COMMITTEE AGENDA
RECOMMENDING COMMITTEE MEETING OF: SEPTEMBER 20, 2005

- CALL TO ORDER

MINUTES:

PRESENT: COUNCILMEMBERS TARKANIAN and ROSS

Also Present: DEPUTY CITY MANAGER STEVE HOUCHENS, CHIEF DEPUTY CITY ATTORNEY VAL STEED, and DEPUTY CITY CLERK GABRIELA PORTILLO-BRENNER

- ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW

MINUTES:

ANNOUNCEMENT MADE - meeting noticed and posted at the following locations:

City Clerk's Bulletin Board, City Hall Plaza, 2nd Floor Skybridge

Court Clerk's Office Bulletin Board, City Hall Plaza

Las Vegas Library, 833 Las Vegas Boulevard North

Clark County Government Center, 500 S. Grand Central Parkway

Grant Sawyer Building, 555 E. Washington Avenue

(4:03)

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AGENDA SUMMARY PAGE

RECOMMENDING COMMITTEE MEETING OF: SEPTEMBER 20, 2005

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐ **CONSENT**

☒ **DISCUSSION**

SUBJECT:

NEW BILL:

Bill No. 2005-42 - ABEYANCE ITEM - Establishes the "Rural Preservation Overlay District." Proposed by: M. Margo Wheeler, Director of Planning and Development

Fiscal Impact:

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

In 1999 the Nevada Legislature established provisions for the protection of rural preservation neighborhoods within both the incorporated and unincorporated areas of Clark County. Those provisions expired last year without being renewed by the Legislature. It has been proposed that the City enact similar legislation as an alternative to additional State legislation. This bill will accomplish the objective by creating the Rural Preservation Overlay District, in which proposed development will be reviewed in the light of its impact on the rural character of the area.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

1. Bill No. 2005-42
2. Fascimile with attached letter from Sean Cassidy
3. Submitted at meeting - Bill No. 2005-42 First Amendment
4. Submitted at meeting - Written comments by Tom McGowan

MOTION:

COUNCILMAN ROSS recommended Bill 2005-42 be forwarded to the Full Council as a First Amendment with a "Do Pass" recommendation. COUNCILWOMAN TARKANIAN concurred.

MINUTES:

COUNCILWOMAN TARKANIAN declared the Public Hearing open.

MARGO WHEELER, Director, Planning and Development, reviewed staff's efforts consistent with direction to meet the goals of the State agencies and to be compatible with ordinances of Clark County, North Las Vegas and Henderson. Staff also sent out a mailing to interested citizens and held a citizens' meeting on September 13 to review proposed changes and address concerns, which resulted in a Proposed First Amendment to the Committee.

CHIEF DEPUTY CITY ATTORNEY VAL STEED summarized the revisions. He clarified that on Page 1 the overlay district map would be amended only when property has qualified or not qualified as a rural preservation neighborhood. The map is a reflection of reality rather than a guidance use to change reality. The definition of rural preservation neighborhood as established by the legislature and repeated

RECOMMENDING COMMITTEE MEETING OF: SEPTEMBER 20, 2005

MINUTES - Continued:

within this bill is difficult to interpret. Rather than attempt to further clarify it, the City staff has created a map. As property character changes over time, the map will be amended. He explained that the creation and amendment of a map is not an exact science and proposed the following language: "There is hereby created the Rural Preservation Overlay District, consisting of those areas that are deemed consistent with the definition and intent of a Rural Preservation Neighborhood and that are described on the map." Staff will do their best with the issue of measurement in amending the map.

He outlined the second change involving a new Subsection C, which provides the buffer area discussed at the last Committee meeting, vacant property and rezoning requests within 300 feet of the district. The amendment provides that rezoning requests will not be granted above three dwelling units per acre unless the City Council, for good cause showing, approves the greater density or intensity of use. The third change involves a new map, different than the one originally attached when introduced. The new map reflects changes that have occurred in the interim.

COUNCILWOMAN TARKANIAN confirmed with CHIEF DEPUTY CITY ATTORNEY STEED that most of the information was provided at the citizens' meeting.

TOM MCGOWAN, Las Vegas resident, requested an accurate and legible copy of the map via mail for the Overlay District as a condition of approval for passage. He read and submitted his written comments, a copy of which is made a part of the final minutes.

LINDA WEST-MEYERS indicated that she was excited the City is addressing these important issues. AB165 terminology took away citizens' rights, and the addition of Subsection C will give residents back their legal standing. She supported adoption of this bill.

ED GOBEL, President, Council of Nevada Veterans Organization, State Chairman of 101st Airborne Division Association and active in many other organizations, spoke in support of the Planning and Development Department's efforts in this matter, the citizens' meeting and overall cooperation. Staff came to understand the concerns and addressed them. This is a way the City provides its citizens freedom and the ability to protect their neighborhoods. He cited examples of the preservation of constitutional rights via this bill, especially given the proposed amendments. Things can change and people can now speak on that. He urged adoption. COUNCILWOMAN TARKANIAN thanked MR. GOBEL for his praise. The Council's goal is to work with the citizens always.

MARILYN KIRKPATRICK, Assemblyperson for District 1, requested clarification for those who previously requested to be excluded from the district. MS. WHEELER confirmed that those from whom a request was received were excluded.

TOM COLLINS, County Commissioner and past State Legislator, commented on the history of the legislative action and complimented the City for introducing this bill. He urged the City follow, as closely as possible, the action taken by the other entities in order to provide the greatest uniformity. The original map looked good, but he expressed a concern with the three-unit density and consistent flow between entities. MS. WHEELER explained that the language actually provides a higher density than anticipated, but is being used for consistency. It is not expected that the general plan, zoning or staff recommendations will be changed to match the County.

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MINUTES - Continued:

MIKE MALONE, President, Northwest Area Residents Association, noted that he represents 742 homes and questioned why he and his organization were not included in the citizens meeting. MS. WHEELER countered that MR. MALONE was mailed a notice of the meeting to the address on record with the Planning Department.

MR. MALONE expressed his support of the bill, with an exception to the three units per acre. However, given the explanations given by MS. WHEELER and COMMISSIONER COLLINS, he understands the necessity for consistency. COUNCILWOMAN TARKANIAN assured MR. MALONE that the City pattern is for two units per acre. She stressed that this is a good move forward for the City and its communities and commended commended all those involved in the process.

No one appeared in opposition.

COUNCILWOMAN TARKANIAN declared the Public Hearing closed.

(4:05 - 4:24)

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AGENDA SUMMARY PAGE

RECOMMENDING COMMITTEE MEETING OF: SEPTEMBER 20, 2005

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐ **CONSENT**

☒ **DISCUSSION**

SUBJECT:

NEW BILL:

Bill No. 2005-49 - Expands the minimum notification requirements for certain zoning applications, and amends related provisions so as to conform to State law. Proposed by: M. Margo Wheeler, Director of Planning and Development

Fiscal Impact:

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

This bill will expand the notification area regarding rezoning, general plan amendment, and certain special use permit applications, requiring notice to be provided to properties within 1000 feet of the property that is the subject of the application. The bill will also update a number of other notification and hearing-related items so as to conform to recent changes in State law.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

1. Bill No. 2005-49
2. Submitted at meeting - Written comments by Tom McGowan for Items 1, 2, 4 and 5 filed under Item 1

MOTION:

COUNCILMAN ROSS recommended Bill 2005-49 be forwarded to the Full Council with a "Do Pass" recommendation. COUNCILWOMAN TARKANIAN concurred.

MINUTES:

COUNCILWOMAN TARKANIAN declared the Public Hearing open.

DOUG RANKIN, Planning and Development, summarized that this bill will adopt a 1,000 foot notification radius. The City has a policy which exceeds the State notification requirement of 750 feet. This will formally incorporate the policy into Title 19.

COUNCILWOMAN TARKANIAN pointed out that this is in response to a City policy adopted at the request of the citizens.

TOM MCGOWAN, Ward 1 resident, welcomed the new Councilman and read and submitted his written comments, a copy of which is made a part of the final minutes. COUNCILWOMAN TARKANIAN responded to two of his questions: the City is working continuously to make improvements on the busing system and on providing him the information requested on the Arts District. She confirmed that MR. MCGOWAN will give staff a little more time to follow through on his requests.

RECOMMENDING COMMITTEE MEETING OF: SEPTEMBER 20, 2005

MINUTES - Continued:

LINDA WEST-MEYERS and ED GOBEL thanked the City for expanding the circle of notification, which allows more people to participate in the system. This is something that many people have been working on for more than 16 years.

No one appeared in opposition.

COUNCILWOMAN TARKANIAN declared the Public Hearing closed.

(4:24 - 4:29)

1-605

AGENDA SUMMARY PAGE

RECOMMENDING COMMITTEE MEETING OF: SEPTEMBER 20, 2005

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐ **CONSENT**

☒ **DISCUSSION**

SUBJECT:

NEW BILL:

Bill No. 2005-50 - Makes minor revisions to the Town Center Development Standards Manual. Proposed by: M. Margo Wheeler, Director of Planning and Development

Fiscal Impact:

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

This bill will update the Town Center Development Standards Manual to make it more consistent with the applicable zoning regulations in the Municipal Code and to create more efficiency in the processing of development applications for property within the Town Center District.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

Bill No. 2005-50

MOTION:

COUNCILMAN ROSS recommended Bill 2005-50 be forwarded to the Full Council with a "Do Pass" recommendation. COUNCILWOMAN TARKANIAN concurred.

MINUTES:

COUNCILWOMAN TARKANIAN declared the Public Hearing open.

DOUG RANKIN, Planning and Development, indicated that the ordinance change will clarify minor changes to the Town Center Development Standards Manual. The bill corrects misspellings, corrects Title 19A to Title 19 and makes corrections to other identifiers. Lastly, this bill eliminates the impossible requirement of obtaining permission from all property owners within 330 feet to file a waiver request. The revisions would require a potential applicant to host a neighborhood meeting for the property owners within 330 feet, and to notify them by certified mail. After these requirements are met, the applicant may seek a waiver to be heard by the members of both the Planning Commission and City Council.

No one appeared in opposition.

COUNCILWOMAN TARKANIAN declared the Public Hearing closed.

(4:29 - 4:32)

1-783

AGENDA SUMMARY PAGE

RECOMMENDING COMMITTEE MEETING OF: SEPTEMBER 20, 2005

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐ **CONSENT**

☒ **DISCUSSION**

SUBJECT:

NEW BILL:

Bill No. 2005-51 - Modifies the criteria for designating landmarks and historic properties for purposes of historic preservation. Proposed by: M. Margo Wheeler, Director of Planning and Development

Fiscal Impact:

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

This bill will modify the criteria for designating landmarks and historic properties for purposes of historic preservation. The changes are intended to improve the City's approach to the designation process and to make it more consistent with State and Federal criteria on the subject.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

1. Bill No. 2005-51
2. Submitted at meeting - Written comments by Tom McGowan for Items 1, 2, 4 and 5 filed under Item 1

MOTION:

COUNCILMAN ROSS recommended Bill 2005-51 be forwarded to the Full Council with a "Do Pass" recommendation. COUNCILWOMAN TARKANIAN concurred.

MINUTES:

COUNCILWOMAN TARKANIAN declared the Public Hearing open.

MARGO WHEELER, Director, Planning and Development, advised that this clarifies terms and definitions in conformance with Federal and State laws as to landmarks and monuments.

TOM MCGOWAN, Las Vegas resident, read and submitted his written comments, a copy of which is made a part of the final minutes. In response to his written statement, MS. WHEELER replied that the one railroad cottage owned by the Redevelopment Agency was relocated. The actions resulting in the relocation were taken during public meetings of the Historic Preservation Commission. State and Federal law deals with tax credits and other financial incentives and does not dictate local authority. All actions were taken in compliance with all local, State and Federal laws. COUNCILWOMAN TARKANIAN clarified the original location of the cottage under the Redevelopment Agency's control. MS. WHEELER expressed that the City was very pleased that the cottage was saved, and the City continues to work with the private property owner on the Casino Center properties. The goal is to salvage those that can be saved and to dismantle and use for repairs those that cannot be salvaged. COUNCILWOMAN TARKANIAN pointed out that the cottages were purchased as private land and would have been demolished without the City acting in an attempt to preserve them. She insisted that

RECOMMENDING COMMITTEE MEETING OF: SEPTEMBER 20, 2005

MINUTES - Continued:

all local, State and Federal laws were complied with in doing so.

ED GOBEL questioned whether the Historic Preservation Officer position, along with its vast authority, was newly created. He expressed discomfort with one position holding so much authority. MS. WHEELER replied that the position has existed within Title 19 as a duty of an existing staff person. The only change from the existing code is that language underlined in the bill. The authority already exists. MR. GOBEL stated that he would simply recommend reducing the level of authority.

No one appeared in opposition.

COUNCILWOMAN TARKANIAN declared the Public Hearing closed.

(4:32 - 4:40)

1-889

AGENDA SUMMARY PAGE**RECOMMENDING COMMITTEE MEETING OF: SEPTEMBER 20, 2005**

DEPARTMENT: CITY ATTORNEY**DIRECTOR: BRADFORD R. JERBIC**☐ **CONSENT**☒ **DISCUSSION****SUBJECT:**

NEW BILL:

Bill No. 2005-52 - Revises the zoning definitions and standards that apply to certain establishments that sell or serve alcoholic beverages. Proposed by: M. Margo Wheeler, Director of Planning and Development

Fiscal Impact:☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

The City's zoning regulations currently classify a number of uses that sell alcoholic beverages for off-premise consumption in the same category. Some of the uses are more intense than others, and the process of acting on applications for the various types in the public interest has been difficult, as well as confusing. This bill will create additional use categories and set forth the various conditions, including distance limitations, that should pertain to each.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

1. Bill No. 2005-52
2. Submitted at meeting - Written comments by Tom McGowan for Items 1, 2, 4 and 5 filed under Item 1

MOTION:

COUNCILMAN ROSS recommended Bill 2005-52 be forwarded to the Full Council with a "Do Pass" recommendation. COUNCILWOMAN TARKANIAN concurred.

MINUTES:

COUNCILWOMAN TARKANIAN declared the Public Hearing open.

DOUG RANKIN, Planning and Development, stated that Title 19 currently has a Liquor Establishments category. There have been past concerns and confusion with convenience stores seeking beer and wine licenses which required notification for a liquor establishment. This change would break the liquor establishments into multiple categories based on type of liquor sales, consumption location and facility size. This will also allow for a waiver for on-sale beer/wine/cooler with a minimum of 45 seats within the distance separation from a protected use. That is currently allowed for a service bar. The waiver will be in conjunction with a special use permit. COUNCILWOMAN TARKANIAN commended staff in taking steps to resolve language that has caused significant confusion and concern in the past. This addresses citizen input. COUNCILMAN ROSS suggested that notices could still identify in parenthesis the main use, such as grocery store or other type of store.

TOM MCGOWAN, Ward 1 resident, read and submitted his written comments, a copy of which is made

RECOMMENDING COMMITTEE MEETING OF: SEPTEMBER 20, 2005

MINUTES - Continued:

a part of the final minutes. He also warned that the City is not prepared to handle a disaster such as the one caused by Hurricane Katrina in Louisiana.

No one appeared in opposition.

COUNCILWOMAN TARKANIAN declared the Public Hearing closed.

(4:40 - 4:48)

1-1166

AGENDA SUMMARY PAGE

RECOMMENDING COMMITTEE MEETING OF: SEPTEMBER 20, 2005

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐ **CONSENT**

☒ **DISCUSSION**

SUBJECT:

NEW BILL:

Bill No. 2005-53 - Annexation No. ANX-7604 - Property location: On the east side of Rio Vista Street, approximately 250 feet north of Azure Drive; Petitioned by: Helen L. Thomas Trust; Acreage: 4.48 acres; Zoned: R-E (County zoning), U (R) (City equivalent). Sponsored by: Councilman Steven D. Ross

Fiscal Impact:

<input checked="" type="checkbox"/> No Impact	Amount:
<input type="checkbox"/> Budget Funds Available	Dept./Division:
<input type="checkbox"/> Augmentation Required	Funding Source:

PURPOSE/BACKGROUND:

The proposed ordinance annexes certain real property generally located on the east side of Rio Vista Street, approximately 250 feet north of Azure Drive. The annexation is at the request of the property owner. The annexation process has now been completed in accordance with the NRS and the final date of annexation (October 19, 2005) is set by this ordinance.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

Bill No. 2005-53 and location map

MOTION:

COUNCILMAN ROSS recommended Bill 2005-53 be forwarded to the Full Council with a "Do Pass" recommendation. COUNCILWOMAN TARKANIAN concurred.

MINUTES:

COUNCILWOMAN TARKANIAN declared the Public Hearing open.

DEPUTY CITY ATTORNEY VAL STEED advised that this is a routine annexation requested by the property owner, and it is in order. He recommended approval.

LINDA WEST-MEYERS questioned clarification of the zoning for both properties being considered for annexation. DEPUTY CITY ATTORNEY STEED explained that property coming into the City is given the zoning most closely approximating the County zoning. In the City, undeveloped property is zoned U followed by the General Plan designation. In this instance, the zoning is undeveloped with a residential designation and the following item is zoned undeveloped with a desert rural designation.

ED GOBEL expressed concern about the undeveloped zoning category being too vague and not definitive like the zoning categories of rural estates or ranch acres. He urged a better designation be used for property being annexed in order to approximate the area around it and to protect the efforts made by staff with regard to rural preservation. MS. WHEELER responded that the undeveloped zoning category is a place holder and any change would require a discretionary action.

RECOMMENDING COMMITTEE MEETING OF: SEPTEMBER 20, 2005

MINUTES - Continued:

COUNCILMAN ROSS confirmed that the undeveloped zoning is a safety zone while property requested for annexation is in transition from the County to the City. MR. GOBEL disagreed and urged an R-E or R-PD2 zoning category be applied and a zoning change required thereafter. COUNCILWOMAN TARKANIAN countered that a change would be required regardless of the holding designation. CHIEF DEPUTY CITY ATTORNEY STEED indicated that in the past the City used an R-E zoning as a holding designation and that was changed at the request of the public to clarify the property is undeveloped and may change. COUNCILWOMAN TARKANIAN noted that the flexibility was adopted in response to resident input. MR. GOBEL rebutted that, as a resident, he would prefer something other than a place holder, because it carries no protection; undeveloped property could be rezoned to commercial. COUNCILWOMAN TARKANIAN suggested it could be looked into, but the balance is that some think undeveloped is a greater protection. The City is agreeable to talking to people as time goes on. She encouraged citizens' input.

COUNCILWOMAN TARKANIAN discussed with CHIEF DEPUTY CITY ATTORNEY STEED the three- or four-month process for annexation.

No one appeared in opposition.

COUNCILWOMAN TARKANIAN declared the Public Hearing closed.

(4:48 - 4:57)

1-1451

AGENDA SUMMARY PAGE

RECOMMENDING COMMITTEE MEETING OF: SEPTEMBER 20, 2005

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐ **CONSENT**

☒ **DISCUSSION**

SUBJECT:

NEW BILL:

Bill No. 2005-54 - Annexation No. ANX-7327 - Property location: At the northeast corner of Rainbow Boulevard and El Campo Grande Avenue; Petitioned by: Roberta M. Bartlett, et al.; Acreage: 6.29 acres; Zoned: R-E (County zoning), U (DR) (City equivalent). Sponsored by: Councilman Steven D. Ross

Fiscal Impact:

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

The proposed ordinance annexes certain real property generally located at the northeast corner of Rainbow Boulevard and El Campo Grande Avenue. The annexation is at the request of the property owners. The annexation process has now been completed in accordance with the NRS and the final date of annexation (October 19, 2005) is set by this ordinance.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

Bill No. 2005-54 and location map

MOTION:

COUNCILMAN ROSS recommended Bill 2005-54 be forwarded to the Full Council with a "Do Pass" recommendation. COUNCILWOMAN TARKANIAN concurred.

MINUTES:

COUNCILWOMAN TARKANIAN declared the Public Hearing open.

DEPUTY CITY ATTORNEY VAL STEED advised that this is a standard annexation requested by the property owner, and it is in order. He recommended approval.

NOTE: See Item 6 for other related discussion.

No one appeared in opposition.

COUNCILWOMAN TARKANIAN declared the Public Hearing closed.

(4:57 - 4:58)

1-1788

AGENDA SUMMARY PAGE

RECOMMENDING COMMITTEE MEETING OF: SEPTEMBER 20, 2005

CITIZENS PARTICIPATION: PUBLIC COMMENT DURING THIS PORTION OF THE AGENDA MUST BE LIMITED TO MATTERS WITHIN THE JURISDICTION OF THE COMMITTEE. NO SUBJECT MAY BE ACTED UPON BY THE COMMITTEE UNLESS THAT SUBJECT IS ON THE AGENDA AND IS SCHEDULED FOR ACTION. IF YOU WISH TO BE HEARD, COME TO THE PODIUM AND GIVE YOUR NAME FOR THE RECORD. THE AMOUNT OF DISCUSSION ON ANY SINGLE SUBJECT, AS WELL AS THE AMOUNT OF TIME ANY SINGLE SPEAKER IS ALLOWED, MAY BE LIMITED

MINUTES:

TOM McGOWAN, Las Vegas resident, read and submitted his written comments, along with a Mammoth Underground notice, copies of which are attached and made a part of the final minutes.

(4:58 - 5:03)

1-1821

THE MEETING ADJOURNED AT 5:03 P.M.

Respectfully submitted:

Gabriela Portillo-Brenner, Deputy City Clerk
September 28, 2005

TM / REDEV'G CITEE MATG: - 4pm TUES, 20 SEPT, '05
CITIZENS PARTICIPATION: -

* TOM MCGOWAN; LAS VEGAS RESIDENT. ~ (EXHIBIT: 'MAMMOTH NOTICE') ~

(1.) A PRIVATE CONTRACTOR WORKING ON HOOVER AVE. REDEVELOPMENT IRRESPONSIBLY SCOTCH-TAPED THIS ONE(1)-DAY 'NOTICE OF WATER SHUT-OFF' ON THE DOOR OF APARTMENTS IN THE ARTS DISTRICT, WHERE IT WAS BLOWN AWAY BY THE WIND. ~ HOW DOES THE CITY ENFORCE ADVANCE NOTICE BY MAIL OF THE INTERRUPTION OF WATER SERVICES? ~ AND, IF NOT, ~ WHY NOT? ~

(2) ON ANOTHER MATTER: ~ (EXHIBIT: "PROJECT NOLA") ~ ON MONDAY 12 SEPTEMBER, 2005, I PROVIDED NOTICE OF THE AVAILABILITY OF MY PROPOSAL ENTITLED: "PROJECT NOLA" TO MAYOR OSCAR GOODMAN, CHAIRMAN AND PRESIDENT OF THE LAS VEGAS CENTENNIAL CELEBRATION COMMITTEE. THE SAME NOTICE WILL BE PROVIDED TO TOMORROW'S MEETING OF THE FULL CITY COUNCIL AND THE REDEVELOPMENT AGENCY, AND TODAY IT'S PROVIDED TO THIS RECOMMENDING COMMITTEE. I RECOMMEND YOU READ IT AT YOUR EARLIEST CONVENIENCE.

IN RELEVANT SIDENOTE: ~ THE PEOPLE OF NEW ORLEANS ARE THE CITY OF NEW ORLEANS, WHEREVER THEY MAY BE. AND THE PEOPLE THEMSELVES ARE THE MOST VALUABLE AND READILY AVAILABLE RESOURCE, PURSUANT TO THEIR RECOVERY AND THE RECOVERY OF THEIR BELOVED CITY OF NEW ORLEANS. AND THE PLAN IS MORE IMPORTANT THAN THE MONEY, BECAUSE, ~ WITHOUT AN ENSURED EFFECTIVE PLAN, THE MONEY CAN AND WILL BE WASTED, AND SO WILL THE TIME AND THE OPPORTUNITY TO MEET AND SUCCESSFULLY OVERCOME THE CHALLENGE.

NOTWITHSTANDING HISTORIC AND RECENT OFFICIAL FAILURES TO DATE, ~ THERE IS A CURE FOR 'HOMELESSNESS', ON BOTH THE LOCAL AND REGIONAL SCALE IN LAS VEGAS, AND FOR THE HURRICANE-IMPACTED POPULATION OF NEW ORLEANS AND THE GULF STATES.

(1.)

(TM, CONT'D)

BUT, INHERENTLY, POLITICIANS AND BUREAUCRATS CANNOT AND WILL NOT RESOLVE THE PROBLEM. THEY'RE MORESO A PART OF THE PROBLEM THAN THE SOLUTION, ~ BECAUSE THEY HAVEN'T GOT THE VISION OR THE ENSURED EFFECTIVE PLAN, ~ AND THEY INTENTIONALLY IGNORE ANY QUALIFIED MEMBER OF THE PUBLIC WHO DOES.

MY PROPOSAL ENTITLED: "THE AMERICAN FAMILY HOME COMMUNITY" IS THE CURE FOR 'HOMELESSNESS' IN SOUTHERN NEVADA AND ELSEWHERE NATIONALLY.

MY PROPOSAL ENTITLED: "PROJECT NOLA" WILL ACHIEVE THE WORTHWHILE GOAL OF THE RECOVERY AND RETURN HOME OF THE PEOPLE OF NEW ORLEANS WITHIN A FORSEEABLE TERM, AND IN A MANNER THAT BENEFITS LAS VEGAS, NEVADA, NEW ORLEANS, LOUISIANA, AND THE UNITED STATES OF AMERICA. ~ YOUR ENTHUSIASTIC SUPPORT IN FURTHERANCE OF MY "PROJECT NOLA" PROPOSAL IS INVITED AND RECOMMENDED.

IN RESPECTFUL REMINDER: ~ VOLUNTARY PARTICIPATION IS BASED ON A SENSE OF EQUITY-COMRSHIP. CONSEQUENTLY, THE POPULAR ASSUMPTION: "IF YOU BUILD IT, THEY WILL COME!" IS INACCURATE. RATHER, AND BEYOND REASONABLE REFUTE OR CORRECTION ~

* "IF YOU ASSIST THEM TO BUILD IT, AND ALLOW THEM THE OPPORTUNITY TO EARN THE RIGHT TO OWN AND CONTROL IT, ~ THEY WILL NOT ONLY COME, THEY WILL STAY, BECAUSE IT'S THEIR'S, NOT YOURS, ~ AND THEY CAN TAKE IT WITH THEM, WHEREVER THEY GO, FOR THE REST OF THEIR LIVES."

(SUBMITTED AND REQUESTED INCLUSION IN THE MEETING MINUTES)

THANK YOU.



September 19, 2005

Dear Resident:

On Tuesday, September 20, 2005. It will be necessary for us to shut-off your water service for approximately nine (9) hours, between the hours of 10:00 p.m. and 6:00 a.m., weather permitting.

We are sorry for the inconvenience, and will restore your water service just as soon as it is possible for us to do so.

Please arrange to store as much water as you feel you will need for immediate use during these hours. If you have any problems, please contact Mammoth Underground at 248-6662.

In an emergency, call LVVWD at 870-2011.

Very truly yours,

MAMMOTH UNDERGROUND

Mammoth Underground, LLC 4257 West Desert Inn Road Las Vegas NV 89102
(702) 248-6662 fax (702) 247-8489 Contractors License # 55303 \$5,000,000 & # 57819
\$1,000,000